

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Tribal Welfare Department – Appeal Petition filed by Sri Kongara Srinivas S/o Kongara Chinnaiah, Occ: Business, R/o Zaddangi (V), Rajavommangi (M), East Godavari District, against the Proceedings R. Dis. No. C5/19/2011, dated 03.06.2011 of the Collector, East Godavari District - under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (AP Act No. 16/1993) – Appeal Petition Allowed – Orders Issued.

SOCIAL WELFARE (CV2) DEPARTMENT

G.O.MS.NO. 9

Dated:22.01.2014.

Read the following.

1. Proceedings of the District Collector, East Godavari (Kakinada), R. Dis.No. C5/19/2011, dated 03.06.2011.
2. Appeal Petition filed by Sri Kongara Srinivas S/o Kongara Chinnaiah Occ: Business, R/o Zaddangi (V), Rajavommangi (M), East Godavari District Before M(TW), No.234/M(TW)/2011 on 02.08.11
3. Govt. Memo.No.11330/CV2/2011,SW(CV2) Dept, dated:05.08.2011.
4. From the District Collector, East Godavari District (Kakinada), Ref.C5(M)/19/11, dated:16.09.2011.
5. Govt. Memo.No.11330/CV2/2011,SW(CV2)Dept, dated:28.04.2012.
6. Govt.Memo.No.11330/CV2/2011,SW(CV2)Dept, dated:16.01.2013.
7. Written Arguments dated: 21.01.2013 filed by the counsel for the Appellant before the Government.

ORDER:

In the reference 1st read above the District Collector, East Godavari has issued orders canceling Konda Reddy Caste Certificate obtained from the then Tahsildar, Rajavommangi by Sri Kongara Srinivas, S/o Kongara Chinnaiah, Occ: Business, R/o Zaddangi (V), Rajavommangi (M), East Godavari District.

2. In the reference 2nd read above, Sri Kongara Srinivas, S/o Kongara Chinnaiah has filed Appeal Petition before the Government against the orders of the District Collector, East Godavari. After examining the said Appeal Petition, Government have admitted the Appeal Petition and stay orders were issued on the proceedings of the District Collector, East Godavari and called for the parawise remarks and connected records from the District Collector, East Godavari in the reference 3rd read above.

3. In the reference 4th read above, the District Collector, East Godavari has furnished the Parawise remarks and connected records of Sri Kongara Srinivas, S/o Kongara Chinnaiah, Occ: Business, R/o Zaddangi (V), Rajavommangi (M), East Godavari District.

4. The said Appeal Petition has been posted for hearing on 10.05.2012 and finally on 21.01.2013 and the same has been informed to the Appellant and the Counsel for the appellant and they were requested to come with all Documentary Evidences/ Certificates in proof of their claim as to their community in the references 5th and 6th read above. The Advocate for Appellant was present, he argued the case, and submitted his client's community status as ST Konda Reddy and he also filed written arguments before the Appellate Authority in the reference 7th read above.

5. Government have examined the records and proceedings of the District Collector, East Godavari dated. 03.06.2011 and "Appeal grounds" and the written arguments submitted by the Appellant and having

considered documentary evidences and the arguments of both sides, observed that the

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Tahsildar, Rajavommangi(M) had issued ST Konda Reddy Certificate, only after conducting due enquiry, during 1981; the Deputy Tahsildar, Yellavaram issued ST Konda Reddy Certificate to the father of the appellant Sri K.Chinnaiah Dora, way back in the year 1965; the LTR Proceedings No.11/82 dt:27.7.1984 of the Deputy Collector(TW), East Godavari District reveals that his father and grand father belongs to Konda Reddy(ST). The Appellant alleges that the District Authorities have not considered the said documents filed by him, adjudged his case, with preconceived notions, and passed erroneous orders. In support of his claim, as ST Konda Reddy, the Appellant has furnished the copies of documents Viz., ST Caste Certificate of him self, his brother, his father and his father's brother issued by the Revenue Authorities and other officials; Academic Records of him self and his father. The Appellant also produced copy of the 1st page of the Service Register of his father Sri K.Chinnaiah Dora, who joined in Telephones Department during 1973. Further, it appears to be unjust to decide one's caste based on the marital relations of his family members/ blood relatives alone. It is also alleged that denying the genuinity of the ST Certificate issued during 1965 in favour of the Appellant's father at this point of time i.e., after a lapse of four and half decades that too long after his death and applying the same to the Appellant is unfair and prejudicial.

6. Government after careful examination of the Appeal Petition and the facts stated supra and in exercise of the powers conferred under Section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (Act No16 of 1993), relating to the Appellant, Sri Kongara Srinivas, S/o Kongara Chinnaiah, Occ: Business, R/o Zaddangi (V), Rajavommangi (M), East Godavari District and the Proceedings of the District Collector, East Godavari issued in R.Dis.No.C5/19/2011, dated: 03.06.2011, concerning the Appellant are hereby set-aside, by upholding the ST 'Konda Reddy' Community Certificate issued by the Tahsildar, Rajavommangi long ago.

7. Consequently, the District Collector, East Godavari shall take necessary action in the matter.

8. The records (containing R.Dis.No.C5/19/2011, dated: 03.06.2011, pages 01 to 158 CF) received from District Collector, East Godavari, through 4th read above, are returned herewith in original to District Collector, East Godavari and he is requested to acknowledge the receipt of the same, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr.A.VIDYASAGAR
PRINCIPAL SECRETARY TO GOVERNMENT(TW)**

To
The District Collector, East Godavari (we) (By RPAD)
(with original records).

Sri Kongara Srinivas S/o Kongara Chinnaiah,
Occ: Business, R/o Zaddangi (V),
Rajavommangi (M), East Godavari District.

Copy to:

The Commissioner of Tribal Welfare, AP, Hyderabad/ the Director,
TCR& TI, AP, Hyderabad.

P.S. to M (TW)
P.S. to Principal Secretary (TW)
SF/SC.

// Forwarded :: By Order //

SECTION OFFICER